

EXHIBIT A

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GENEVA STYLES and JOHN STYLES

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550(b))

VIOXX® CASES

GENEVA STYLES and JOHN
STYLES,

Plaintiffs,

v.

MERCK & COMPANY, INC., a
corporation; McKESSON
CORPORATION, a corporation;
AMERISOURCEBERGEN DRUG
CORPORATION, a corporation;
PFIZER, INC.; PHARMACIA
CORPORATION; G.D. SEARLE LLC,
(FKA G.D. SEARLE & CO.); DOES 1 to
100; PHARMACEUTICAL
DEFENDANT DOES 101 to 200, and
DISTRIBUTOR DEFENDANT DOES
201 to 300, inclusive,

Defendants.

JCCP No. 4247

Case No.: BC359104

County of Origin: Nevada
Superior Court

*(By Order of the Honorable Victoria G.
Chaney, the designated county of origin
shall be deemed, and is stipulated to be, the
original county in which this case was
initially filed and pending for purposes of
removal under U.S.C. § 1441(a) and
potential trial venue.)*

**COMPLAINT: AMENDED NOTICE OF
ADOPTION OF VIOXX MASTER
COMPLAINT (2005 Amended NOA)**

Assigned to Honorable Victoria G. Chaney,
Department 324

Plaintiffs, GENEVA STYLES and JOHN STYLES, complain of Defendants, and each of
them, and allege as follows:

Pursuant to the Court's Case Management Order No. 3: General Pre-trial Order and Case
Management Order No. 6: Order Regarding Direct Filing, Plaintiffs, GENEVA STYLES and

1

Complaint: Amended Notice of Adoption of Vioxx Master Complaint (2005 Amended NOA)

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1 JOHN STYLES, hereby adopt the Master Complaint, and any rulings or orders of the Court
2 relating thereto:

3 1. (a) Causes of action and Parties alleged in the Master Complaint. Plaintiffs
4 incorporate by reference each of the causes of action in the Master Complaint checked below:

- 5 ☒ Strict Liability - Failure to Warn
6 ☒ Negligence
7 ☒ Negligence Per Se
8 ☒ Breach of Implied Warranty
9 ☒ Breach of Express Warranty
10 ☒ Deceit by Concealment
11 ☒ Negligent Misrepresentation
12 ☒ Violation of Business & Professions Code § 17200
13 ☒ Violation of Business & Professions Code § 17500
14 ☐ Wrongful Death
15 ☐ Survivor Action
16 ☒ Loss of Consortium

17 (b) Causes of Action and/or Parties not alleged in the Master Complaint.

18 Plaintiffs allege additional causes of action and/or names additional parties not mentioned
19 in the Master Complaint as follows: PFIZER, INC., PHARMACIA CORPORATION, G.D.
20 SEARLE LLC, (FKA G.D. SEARLE & CO.) and RUSSELL GRIEF, M.D. See attached.

21 2. Plaintiffs are residents of the State of California, County of Nevada. Plaintiffs'
22 injuries as alleged in this litigation occurred in the County of Nevada, in the State of California.

23 3. Plaintiff ☒ is/ ☐ is not claiming damages for mental and/or emotional distress.

24 4. ☒ Plaintiff, GENEVA STYLES, is an individual who ingested VIOXX®,
25 CELEBREX and/or BEXTRA and who asserts claims for damages herein by complaining of the
26 following injuries: Including but not limited to heart attack and related injuries, rash, elevated

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1 hepatic function tests, blood pressure spikes, nausea and stomach pain and discomfort.

2 _____
3 ☒ Plaintiff, JOHN STYLES, is the spouse of Plaintiff, GENEVA STYLES,
4 an individual who ingested VIOXX®, CELEBREX and/or BEXTRA and allegedly sustained
5 personal injuries as a result.

6 ☐ Plaintiff's decedent, _____, is an individual who ingested
7 VIOXX® and allegedly sustained fatal injury as a result. The following plaintiffs and heirs of
8 plaintiff's decedent, or other persons entitled to bring an action for the wrongful death of
9 plaintiff's decedent, and bring the causes of action alleged herein pursuant to Code of Civil
10 Procedure § 377.60: _____

11 _____
12 ☐ Plaintiff is a personal representative or successor in interest to decedent,
13 _____, who ingested VIOXX® and allegedly sustained fatal injury as a result,
14 and is authorized to bring a survivor action on behalf of the decedent pursuant to Code of Civil
15 Procedure § 377.31, et seq. Plaintiff has been appointed as the decedent's personal representative
16 or successor in interest by the following court, on the following date: _____

17 _____
18 5. The Vioxx, Celebrex and/or Bextra ingested by Plaintiff, GENEVA STYLES, was
19 purchased at the following pharmacies (provide name and address of each pharmacy): Burns
20 Prescription Pharmacy, 866 Lancaster Blvd., Lancaster, CA 93534

21 6. (If plaintiff alleges a cause of action for deceit by concealment and/or a cause of
22 action for negligent misrepresentation, plaintiff must complete this section.) Plaintiffs claim that
23 Defendants are liable to Plaintiffs for deceit by concealment and/or negligent misrepresentation
24 based on the following allegations:

25 (a) What allegedly false statement(s) did Defendants make to you or your
26 doctor (if doctor, state the name and address of the doctor)? Plaintiffs incorporate by reference
27 each every allegation as set forth in Plaintiffs' Master Complaint as though fully set forth herein.

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1 In an effort to increase sales of the drug and improve profits, Defendants concealed and
2 misrepresented the safety of Vioxx and Bextra by and through documents and pharmaceutical
3 representatives. Defendants did not include accurate portrayals of the risks associated with Vioxx
4 and Bextra and concealed the serious cardiovascular and other risks of Vioxx and Bextra.
5 Defendants knew of these adverse risks through clinical trials and adverse event reports as well as
6 other sources, yet did not divulge the information.

7 (b) State the name and job title of the individual(s) who made the above-
8 described statements to you or your doctor?: Plaintiffs incorporate by reference each every
9 allegation as set forth in Plaintiffs' Master Complaint as though fully set forth herein. On
10 information and belief, Defendants and Defendants' sales representatives withheld and denied the
11 adverse health effects.

12 (c) When, and by what means (e.g., writing, oral statement, television, Internet,
13 etc.), were the above-described statements made to you or your doctor?: Plaintiffs incorporate by
14 reference each every allegation as set forth in Plaintiffs' Master Complaint as though fully set
15 forth herein. On information and belief, written communications, oral statements and other
16 means were used to misrepresent the ill effects of Vioxx and Bextra. Defendants concealed the
17 significant increases in adverse cardiovascular events among Vioxx and Bextra users in all means
18 of communication.

19 (d) When, and how, did you or your doctor rely on the above-described
20 statements?: Plaintiffs incorporate by reference each every allegation as set forth in Plaintiffs'
21 Master Complaint as though fully set forth herein. Plaintiff's doctor relied on the
22 misrepresentation and concealment by prescribing Vioxx and Bextra as treatment. Plaintiff relied
23 on the misrepresentation by ingesting the dangerous drugs.

24 (e) If the above-described statements were false by virtue of Defendants'
25 concealment of facts that were known by Defendants, state the facts that were concealed and that,
26 if known by you or your doctor, would have prevented your alleged injury: Plaintiffs incorporate
27 by reference each every allegation as set forth in Plaintiffs' Master Complaint as though fully set
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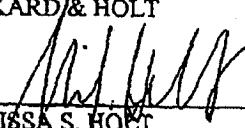
1 forth herein. Defendants concealed the serious cardiovascular and other risks associated with
2 Vioxx and Bextra. Defendants withheld findings from adverse event reports, clinical trials and
3 studies which showed statistically significant increases in cardiovascular events among Vioxx and
4 Bextra users.

5 7. Plaintiffs request the relief checked below:

- 6 ☒ Past and future general damages, according to proof.
7 ☒ Past and future medical and incidental expenses, according to proof.
8 ☒ Past and future loss of earnings and/or earning capacity, according to proof.
9 ☒ Punitive and exemplary damages, where permitted by law.
10 ☒ Damages for past and future mental and/or emotional distress, according to
11 proof.
12 ☒ Damages for past and future loss of consortium, according to proof.
13 ☒ Costs of suit incurred herein.
14 ☐ Injunctive relief (specify): _____
15 _____
16 ☒ Other (specify): For disgorgement of profits according to proof, for
17 attorneys fees and for such other and further relief as this Court deems just
18 and proper.

19 Dated: 9/11, 2006

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20 By: 
21 ALISSA S. HOET
22 Attorneys for Plaintiffs
23 GENEVEA STYLES and JOHN STYLES
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